

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 3/3/2025
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

ROMAN SHAMALOV,

Defendant.

1:23-cr-110-MKV

ADDITIONAL ORDER OF  
RESTITUTION

MARY KAY VYSKOCIL, United States District Judge:

**ADDITIONAL ORDER OF RESTITUTION AS TO ROMAN SHAMALOV**

Gilead Science, Inc., Gilead Sciences Ireland UC, and Gilead Sciences, LLC (together, “Gilead”), submitted a victim impact statement, [ECF No. 398], and appeared at Defendant Shamalov’s sentencing hearing on December 12, 2024. At Defendant Shamalov’s sentencing Gilead indicated that it intended to seek restitution from Defendant Shamalov. Gilead indicated that its position was that the Court should enter the consent restitution order previously submitted by the Government and Gilead would make a motion after sentencing to amend the restitution order. [ECF No. 407 at 10]. Defendant did not object to this course of action. Therefore, the Court entered the consent order of restitution and then reserved the right to amend the restitution order upon a motion by Gilead at a time after sentencing. [ECF No. 407 at 11].

On January 24, 2025, Gilead submitted its motion to amend. [ECF No. 429]. The Court then allowed time for Defendant Shamalov and the Government to respond to Gilead’s motion. [ECF No. 435]. Neither Defendant Shamalov nor the Government opposed or otherwise filed a response to Gilead’s motion to amend the restitution order.

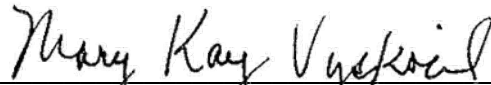
The Court has carefully reviewed the motion, and because Defendant Shamalov participated in a conspiracy that sold illegitimate medications and Gilead, as the manufacturer of the authentic version of those medications, was deprived of sales of legitimate medications that it

would have made if not for Defendant Shamalov's crimes the Court concludes, as other federal courts have already concluded, *see e.g. United States v. Pappan*, No. 18-cr-533 (N.D. Cal.), that Gilead is a victim and is entitled to restitution in the form of its lost sales and profits. *See U.S. v. Milstein*, 481 F.3d 132, 137 (2d Cir. 2007). The Court finds Gilead's application for restitution is meritorious. Accordingly,

IT IS HEREBY ORDERED that the sentence of Roman Shamalov, ECF No. 405, shall be amended to include additional restitution to Gilead Sciences, LLC in the amount of \$3,264,545.76, pursuant to 18 U.S.A. §§ 3663, 3663A, and 3664.

**SO ORDERED.**

**Date: March 3, 2025  
New York, NY**

  
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**MARY KAY VYSKOČIL**  
**United States District Judge**